

memorandum

DATE: October 1, 2001

REPLY TO

ATTN OF: Office of Environmental Policy and Guidance(EH-41):Bascietto:6-7917

SUBJECT: **U.S. Environmental Protection Agency "Comprehensive Five-Year Review Guidance"**

TO: Distribution

PURPOSE OF THIS MEMO To notify DOE elements of the availability of the U.S. Environmental Protection Agency's (EPA) "*Comprehensive Five-Year Review Guidance*" (OSWER Directive 9355.7-03B-P, June 2001).

BACKDROP The EPA has issued a final version of its "Comprehensive Five-Year Review Guidance" for conducting periodic reviews of remedial actions at Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) sites where hazardous substances are left above levels that allow for unlimited use and unrestricted exposure. A draft of the EPA guidance was made available for public review and comment in 1999.⁽¹⁾

DISCUSSION The EPA guidance provides information on issues such as: when five-years reviews are required; when the five-year review period begins; components of a five-year review; how the reviews apply to sites with multiple operable units; relationship to federal facility agreements; lead agency roles and responsibilities; and procedural considerations with regard to reviews of remedies involving monitored natural attenuation and institutional controls.

While the EPA guidance may be utilized by the Agency's regional offices and by other lead agencies, including DOE, to periodically determine the protectiveness of CERCLA remedies being implemented, the DOE Office of Environmental Management (EM) is preparing a complementary programmatic five-year review guidance for remedial sites subject to long-term stewardship. Publication of the EM programmatic five-year review guidance is anticipated this fiscal year.

ACCESS The EPA *Comprehensive Five-Year Review Guidance* is available for viewing and downloading, via the Internet, on the Superfund website at: <http://www.epa.gov/superfund/resources/5year/index.htm>. Copies may also be obtained by contacting the EPA RCRA/CERCLA Call-Line at: 1-800-424-9346.

⁽¹⁾ EH-41 Memorandum entitled: *Focus Group For Reviewing and Commenting On Comprehensive Five-Year Review Guidance*, dated July 23, 1999 & U.S. Department of Energy Comments on EPA's Draft Guidance "Comprehensive Five-Year Review Guidance," dated January 11, 2000 (<http://homer.ornl.gov/oepa/comments/cercla/5yrrev.pdf>).

CONTACT Questions concerning the information contained herein may be directed to John Bascietto of my staff by:

- Calling at (202) 586-7917,
 - Faxing messages to (202) 586-3915, or
 - Communicating electronically, via Internet, to john.bascietto@eh.doe.gov.
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